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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Docket No.: 2038-298

Toshifumi OTSUBO

Confirmation No. 6441

U.S. Patent Application No. 10/673,560

Group Art Unit: 3728

Filed: September 30, 2003

Examiner: John G. Pickett

For:

PACKAGE OF DISPOSABLE DIAPERS

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop Board of Patent Appeals Commissioner for Patents

P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of Board of Board of Appeals from the decision of Board of Board

Appeal Fee:

\$500.00

500.00 OP

Not required (fee paid in prior appeal in this application).

Credit Card Authorization form attached.

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Charge to Deposit Account No. 07-1337.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

Randy A Noranbrock Registration No. 42,940

CERTIFICATION OF FACSIMILE TRANSMISSION I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW

TYPEOR PRINT NAME OF PERSON SIGNING CERTIFICATION

uly 19, 2005

DATE

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